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**United States District Court**  
**Southern District of Texas**  
**FILED**

**JAN 27 2015**

**David J. Bradley, Clerk of Court**

**STATE OF TEXAS ET AL)**

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**V**

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**US**

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**HON. ANDREW HANEN**

**PRESIDING**

**CASE 14-CV-00254**

**NOTICE OF FRAUD/MISREPRESENTATION COMMITTED**

**ACTING ATTORNEY GENERAL OF HAWAII, RUSSELL SUZUKI,**  
**ACTED ON HIS OWN AND DID NOT HAVE AN AUTHORIZATION**  
**FROM THE GOVERNOR OF HAWAII TO WRITE AN AMICUS BRIEF**  
**IN THIS CASE ON BEHALF OF THE STATE OF HAWAII IN SUPPORT**  
**OF DEFENDANTS AND IN SUPPORT OF "OBAMA'S POSITION ON**  
**IMMIGRATION"**

## **STATEMENT OF FACTS**

**This case draws attention of the whole nation, as 25 states, half of the nation, are suing the Federal government due to immigration action by President Obama and Secretary of DHS, Jeh Johnson, granting de facto amnesty to millions of illegal aliens and granting them work permits and Social Security benefits in clear violation of existing immigration laws and without any authorization of Congress. If this court allows the state of Tennessee join, there will be 26 states joined in this action.**

**On January 12, 2015 twelve Attorney Generals of different States and Attorney General of the District of Columbia submitted an Amicus Brief opposing this law suit and in support of the defendants, Document #81. Documentation below shows that at least one of these Attorney Generals, Acting Attorney General of Hawaii, did not have any orders or authorization from the governor of Hawaii to file such an Amicus brief and there is a high probability that a number of other Attorney Generals did not have orders from the governors of their states to file this brief and represent to this court that they are acting on behalf of their states.**

**Dr. Orly Taitz, ESQ, author of this brief, is the President of Defend Our Freedoms Foundation. She is a publisher of TaitzReport.com, which shows over 58 million visits from members and supporters of her foundation.**

**A number of her supporters are members of the media, political activists and employees of federal and state government, who provide her with information regarding fraud, corruption and lawlessness in all three branches of the state and federal government.**

**Among such supporters of her foundation is George Peabody, Editor of Molokai Advertiser-News, on Molokai Island, Hawaii.**

**Mr. Peabody forwarded to Taitz his correspondence with Cindy McMillan, spokesperson for the newly elected Governor of Hawaii, David Ige. (Exhibit 1 Correspondence between George Peabody, Editor of Molokai advertiser-News and Cindy McMillan, Spokesperson for Governor of Hawaii, David Ige).**

**Mr. Peabody questioned, whether acting Attorney General of Hawaii indeed sign the Amicus Brief in this case.**

**The answer from the Spokesperson of the Governor of Hawaii states:**

**"Aloha George –**

The governor did not order the Attorney General's Office to write a friend of the court brief supporting Obama's position on immigration.

Cindy McMillan

Communications Director

Office of the Governor, State of Hawaii

Office: 808-586-0012

Mobile: 808-265-7974

<http://governor.hawaii.gov>"

## **ARGUMENT**

Acting Attorney General of Hawaii, Russell Suzuki, signed the Amicus Brief in this case on behalf of the State of Hawaii, which makes this court believe that he is representing the State of Hawaii, that the Governor of Hawaii ordered the Office of Attorney General to write such a brief, supporting Barack Obama's position on immigration. Based on the letter from the Communications Director of the Governor of Hawaii, the Governor never ordered Attorney General's office to write such a brief. As such, acting Attorney General of Hawaii is engaged in fraud or misrepresentation to this court.

This is a sanctionable behavior. Furthermore, this incident might necessitate an action by the court in ordering the other eleven Attorney Generals, who signed this Amicus Brief, to provide some proof or verification to this court that indeed the governors of their states ordered such a brief to be submitted to this court. If the governors did not order such a brief, it should be stricken, or at least it should be amended, as far as the states in question are concerned and the Attorney Generals in question should be sanctioned by this court for fraud and misrepresentation.

As Taitz reviewed the names of the Attorney Generals who signed this Amicus Brief, she found inconsistencies, which suggest that there might be misrepresentation by a number of Attorney Generals.

As an example, this brief was signed by the Attorney General of Iowa. However, Terry Branstadt, long term Republican Governor of Iowa, is not only opposed to illegal immigration, he led the opposition against recent dumping of minor illegal aliens in different states, which was done by the Obama administration. Exhibit 2 is an article by Breitbart.com, which quotes Governor Branstadt being opposed to Obama's policies and telling Obama not to send illegal alien minors to his state. So, there is a high probability that Thomas J. Miller, AG of Iowa, who signed the Amicus Brief, was not ordered by Governor Branstadt to write this brief and that Governor Branstadt has no idea Miller signed it on his behalf. So, by signing this Amicus, Miller created the impression that he is acting on behalf of the people of

Iowa and the State of Iowa, while it is more likely than not, that he is acting without any authorization and as such committing fraud on this court.

Similarly, this Amicus Brief is signed by the Attorney General of New Mexico. Governor of New Mexico, Susana Martinez, is a Republican, and does not support mass amnesty of millions of illegal aliens. There is a high probability that Hector H. Bardenas, Attorney General of New Mexico, is engaged in misrepresentation. Further, this Amicus Brief is signed by the Attorney General of Illinois, Democrat Lisa Madigan. However, in November the people of Illinois elected a Republican governor, Bruce Rauner, who opposes mass amnesty and who recently rescinded multiple executive orders signed by his predecessor, Democrat Pat Quinn. There is a high probability that AG Madigan is engaged in misrepresentation and filed this brief on behalf of the State of Illinois without an order or authorization to do so from Governor Rauner.

Similarly, Republican, Larry Hogan, who does not support mass amnesty, was elected Governor of Maryland in November. There is a question, as to who authorized Attorney General of Maryland, Brian E. Frosh, to file this Amicus Brief on behalf of the State of Maryland.

This is a matter of national importance. Current actions by President Obama and Secretary of DHS Jeh Johnson in granting work permits to millions of illegal aliens, is robbing millions of American citizens of their jobs. This is particularly

important as nearly 93 million American adults are not in work force and simply gave up looking for jobs and reported 25 million American citizens are either unemployed or underemployed, working part time jobs, unable to find full time employment. This matter is important to the US citizens and tax payers, as majority of illegal aliens are indigent and American taxpayers will carry the burden of paying trillions of dollars for Social Security, Medicaid, education, unemployment and other benefits for these illegal aliens. So, the question is, whether these Attorney Generals, who signed the Amicus Brief, supporting Obama-amnesty, are acting on behalf of the overburdened citizens of their states, whether this brief was ordered by the governors of these states or whether they are misrepresenting the court and acting on their own. While this amnesty is detrimental to majority of American workers and taxpayers, it benefits two groups of people: illegal aliens and oligarchs, a small group of billionaires and multimillionaires, who draw enormous benefit, billions of dollars on unending supply of cheap foreign labor. These oligarchs buy elections for politicians, including Attorney Generals. For example, one of the signators of this Amicus Brief is an Attorney General of California, Kamela Harris, declared candidate for Senate for 2016. It is estimated that her campaign for senate might cost around 100 million dollars, which will need to be underwritten by someone. It is important to

know, whether the Governor of California ordered AG Harris to write such an amicus brief or whether she is acting on her own and on behalf of her donors.


Since there is evidence that one of the Attorney Generals acted on his own and defrauded the court, it is important for this court to ascertain how many of these attorney generals acted on their own and take an appropriate action against the Attorney Generals who engaged in fraud and misrepresentation.

### **CONCLUSION**

This court should demand from 12 Attorney Generals, who signed an Amicus Letter supporting the defendants, to provide the court with letters from the governors of these 12 states where the governors ordered the Attorney Generals to write an Amicus brief in this case supporting the defendants and their immigration actions and doing so on behalf of the states. This court should sanction Attorney Generals, who defrauded and/or misrepresented the facts to this court and acted on their own, without any directions and consent by the governors.

Respectfully submitted,

/s/ Dr. Orly Taitz, ESQ

  
01.18.15

**Declaration of Orly Taitz**



**I, Orly Taitz, attest that Exhibit 1 below, correspondence between George Peabody, Editor of Molokai Advertiser News, and Cindy McMillan, Communications Director of David Ige, Governor of Hawaii, is a true and correct copy of such correspondence received by me via e-mail**

/s/ Orly Taitz

01.18.2015



**Hawaii AG not authorized to write Amicus supporting ObamaAmnesty**

Inbox x

On Sat, Jan 17, 2015 at 4:13 AM, EditorMolokai Advertiser-News George Peabody <[MolokaiMAN@basicisp.net](mailto:MolokaiMAN@basicisp.net)> wrote:

Aloha Orly: The spokesperson for Hawaii Governor David Ige wrote email to me stating that the Governor did not order the acting Hawaii General Russell Suzuki to write the Amicus Brief filed in this ObamaAmnesty case. Yet, there is the signature of Suzuki added to the originals.

George Peabody

=====

Aloha Cindy: Did acting AG Russell Suzuki write such brief that was filed in federal court case ?

--- [Cindy.McMillan@hawaii.gov](mailto:Cindy.McMillan@hawaii.gov) wrote:

From: "McMillan, Cindy" <[Cindy.McMillan@hawaii.gov](mailto:Cindy.McMillan@hawaii.gov)>

To: "[molokaiman@basicisp.net](mailto:molokaiman@basicisp.net)" <[molokaiman@basicisp.net](mailto:molokaiman@basicisp.net)>

Subject: RE: AG's friend of the court brief

Date: Wed, 14 Jan 2015 03:43:34 +0000

Aloha George –

The governor did not order the Attorney General's Office to write a friend of the court brief supporting Obama's position on immigration.

Cindy McMillan  
Communications Director  
Office of the Governor, State of Hawaii  
Office: 808-586-0012  
Mobile: 808-265-7974  
<http://governor.hawaii.gov>

Submitted by George Peabody

47 *Heckler*, 470 U.S. at 831 (1985) (citing *United States v. Batchelder*, 442 U.S. 114, 123-24, 99 S. Ct. 2198, 60 L. Ed. 2d 755 (1979); *United States v. Nixon*, 418 U.S. 683, 693, 94 S. Ct. 3090, 41 L. Ed. 2d 1039 (1974); *Vaca v. Sipes*, 386 U.S. 171, 182, 87 S. Ct. 903, 17 L. Ed. 2d 842 (1967)).

The amici States ask that the Court accept their amicus brief and deny Plaintiffs' motion for preliminary injunction.

RESPECTFULLY SUBMITTED this 12th day of January

2015. ROBERT W. FERGUSON

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Solicitor General

/s Anne E. Egeler

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JAN 27 2015

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